#### BEFORE THE PUBLIC UTILITIES COMMISSION

### OF THE STATE OF HAWAII

In the Matter of the Application of				
PUBLIC UTILITIES COMMISSION )	DOCKET NO. 2008-0274			
Instituting a Proceeding to Investigate  Implementing a Decoupling Mechanism for Hawaiian Electric Company, Inc., Hawaii  Electric Light Company, Inc., and Maui  Electric Company, Limited.		PUBLIC UTILITIES	2008 NOV 20 P 2: 0:	FILED

### DECLARATION OF COUNSEL RE: VERIFICATION TO MOTION FOR ENLARGEMENT OF TIME TO FILE MOTION TO INTERVENE, EXHIBIT "A"

AND

### **CERTIFICATE OF SERVICE**

SANDRA-ANN Y.H. WONG ATTORNEY AT LAW, A LAW CORPORATION 1050 Bishop Street, #514 Honolulu, Hawaii 96813 Telephone No. (808) 537-2598

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Attorneys for Tawhiri Power LLC

# DECLARATION OF COUNSEL RE: VERIFICATION TO MOTION FOR ENLARGEMENT OF TIME TO FILE MOTION TO INTERVENE

STATE OF HAWAII	)
	) s
CITY AND COUNTY OF HONOLULU	ĺ

### I, HARLAN Y. KIMURA, hereby declare that:

- 1. I am one (1) of the attorneys of record for Movant Tawhiri Power LLC herein and made this declaration based upon personal knowledge gained in that capacity.
- 2. Attached hereto as Exhibit "A" is the original of the Verification of Mr. Anthony B. Pace, Chief Executive Officer of Apollo Energy Corporation, the Managing Member of Tawhiri Power LLC, a Delaware limited liability company, to be deemed replaced with the electronic copy thereof attached to Tawhiri Power LLC's Motion For Enlargement Of time To File Motion To Intervene filed herein on November 17, 2008 (hereinafter "Verification").

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS
TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION,
AND BELIEF.

Dated at Honolulu, Hawaii, this 20th day of November 2008.

HARLAN Y. KIMURA

### **VERIFICATION**

STATE OF CALIFORNIA	)	
	)	SS.
COUNTY OF SAN MATEO	)	

Anthony B. Pace, being first duly sworn, deposes and says: I am the Chief Executive Officer of Apollo Energy Corp. and Apollo Energy Corp. is the Managing Member of Tawhiri Power, LLC; that I have read the foregoing Motion for Enlargement of Time to File Motion to Intervene and that the same are true and correct to the best of my knowledge and that I have the authority to sign on behalf of Tawhiri Power, LLC.

ANTHONY B. PACE

Subscribed and sworn to before me

This 1714 day of NOVEMBER,

Name of Notary Public:

Notary Public, State of California

My commission expires:  $\Delta T$ , 15,  $\Delta M$ 

SEAN R. SMITH
COMM. # 1613085
NOTARY PUBLIC - CALIFORNIA
SAN MATEO COUNTY
COMM. EXPIRES OCT. 15, 2009

## **EXHIBIT "A"**

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Declaration of Counsel was duly served on each of the following parties via United States Mail, postage prepaid, as set forth below:

CATHERINE P. AWAKUNI
EXECUTIVE DIRECTOR (2 Copies)
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
335 Merchant Street
Room 326
Honolulu, Hawaii 96813

DARCY L. ENDO-OMOTO VICE PRESIDENT GOVERNMENT AND COMMUNITY AFFAIRS HAWAIIAN ELECTRIC COMPANY, INC. P.O. Box 2750 Honolulu, HI 96840-0001

DEAN MATSUURA MANAGER REGULATORY AFFAIRS HAWAIIAN ELECTRIC COMPANY, INC. P.O. Box 2750 Honolulu, HI 96840-0001

JAY IGNACIO PRESIDENT HAWAII ELECTRIC LIGHT COMPANY, INC. P.O. Box 1027 Hilo, HI 96721-1027

EDWARD L. REINHARDT PRESIDENT MAUI ELECTRIC COMPANY, LTD. P.O. Box 398 Kahului, Maui, HI 96732 THOMAS W. WILLIAMS, JR., ESQ. PETER Y. KIKUTA, ESQ. GOODSILL ANDERSON QUINN & STIFEL LLC 1099 Alakea Street, Ste. 1800 Honolulu, HI 96813

RANDALL J. HEE, P.E.
President and Chief Executive Officer
Kauai Island Utility Cooperative
4463 Pahee Street, Suite 1
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KENT D. MORIHARA, ESQ. KRIS N. NAKAGAWA, ESQ. RHONDA L. CHING, ESQ. MORIHARA LAU & FONG LLP 841 Bishop Street, Suite 400 Honolulu, HI 96813

DATED: Honolulu, Hawaii, November 20, 2008.

SANDRA-ANN Y.H. WONG HARLAN Y. KIMURA

Attorneys for Movant Tawhiri Power LLC